

Exhibit O

GREGORY ABBOTT, et al.,
Defendants.

Case No. 5:21-cv-0920-XR

ORAL AND VIDEOTAPED 30(b)(6) DEPOSITION OF
DELTA SIGMA THETA SORORITY, INC.,
THROUGH ITS DESIGNATED REPRESENTATIVE,
MICHELLE BROWN
APRIL 23, 2022

DEPOSITION of MICHELLE BROWN, produced
as a witness at the instance of the Defendants, and
duly sworn, was taken in the above-styled and
numbered cause on the 22nd day of April, 2022, from
10:08 a.m. to 4:08 p.m., before Christy R. Sievert,
CSR, RPR, in and for the State of Texas, reported by
machine shorthand, at the offices of Reed Smith,
LLP, 2850 N. Harwood Street, Suite 1500, Dallas,
Texas pursuant to the Mississippi Rules of Civil
Procedure and the provisions stated on the record or
attached hereto.

1 Q. All right. In those statements you made
2 about convenience, that those who use the 24-hour
3 polling, that is equally true for Asians, Latinos,
4 black voters, white voters, they also would not be
5 allowed to use the 24-hour polling stations,
6 correct?

7 A. Correct.

8 Q. Okay. It applies to everyone, right?

9 A. It does.

10 Q. There's -- there's no language in here that
11 differentiates -- the language doesn't differentiate
12 between different groups, does it?

13 A. Correct. But by removing those options to
14 vote, there are more difficult- -- more difficulty
15 for some of our communities because they have -- in
16 order to get to the polls or to drop their ballots
17 off at election offices, they have to drive long --
18 you know, especially in Harris County, one of our
19 members stated that from where she lives to the
20 election -- nearest election office is 27 miles. So
21 27 miles there and then 27 miles back home.

22 So you -- I mean, the majority of the
23 communities that we serve are impoverished
24 communities. They don't have transportation, some
25 of them. And they certainly don't have gas to drive

1 27 miles to cast a ballot. So by taking away those
2 options of drive-by where they could possibly catch
3 a ride at midnight on their way home from work or
4 something, then it just took away the opportunity
5 and the -- and the options that they have to -- to
6 vote.

7 Q. Okay. Now, you would agree that person
8 that lives 27 miles away would have the entirety of
9 the week, evening until -- under -- under this rule,
10 they would -- they could -- assuming the county
11 wanted to employ it, they could vote as late as
12 10:00 p.m. There's two weeks in advance of an
13 election that they could vote, including Saturdays,
14 and then there's election day. All of those
15 opportunities are available for that person that
16 lives 27 miles away, correct?

17 A. Correct.

18 Q. All right.

19 A. But those are not the people we're talking
20 about that have the transportation. We're talking
21 about those that don't have the transportation to
22 get to those polls or have two and three jobs and
23 they're just looking for just one opportunity to get
24 to the polls.

25 Q. Okay. Now, are you saying there's someone

1 may intimidate them?

2 A. Right. And, also, you were just talking
3 about the poll watcher part or the entire section?

4 Q. Well, right now just the poll watcher, but
5 we'll get to the other, yeah.

6 A. Yes.

7 Q. Anything else on the poll watcher
8 provision?

9 A. Not anything else pertaining to what's
10 actually written here.

11 Q. Okay. So then the next provision under
12 Section 6.01 is that, "A person who simultaneously
13 assists seven or more voters voting under this
14 section by providing the voters with transportation
15 to the polling place must complete and sign a form
16 provided by an election officer that contains the
17 person's name and address and whether the person is
18 providing assistance solely under this section or
19 under both this section and subchapter B."

20 Do you have concerns about that section?

21 A. We do. Providing transportation to the
22 polling place is -- is definitely something that
23 members in our chapters do, and our chapters
24 arrange -- one of our chapters actually has
25 participated in the past in caravans to the polls.

1 And now we're adding -- this -- this particular
2 section is adding additional burdens on those who
3 drive individuals to the polls by subjecting them to
4 have to complete the name and address and all of
5 this information, which they did not have to do in
6 the past. If I'm just driving you to the poll and
7 dropping you off so that you can vote, we're not
8 understanding why this is -- this -- you know, this
9 added information is necessary. It's just a burden
10 on the individuals.

11 Also, it means that for us, we're
12 having -- this is another part of the -- of the
13 retraining that we're going to have to do because
14 what's most concerning to us is that if they make a
15 mistake, if they don't list all of the people that
16 they have brought to the polls, that they're
17 subjected possibly to criminal penalties. So we
18 want to make sure that our volunteers and our
19 members are safe when they are providing a service
20 to voters who otherwise would not be able to get to
21 the polls.

22 Q. Okay. And the -- but the oath -- do you --
23 are you familiar with what the oath forms say?

24 A. Which oath -- what oath form are we talking
25 about?

1 Q. The oath forms that are being discussed in
2 this subsection.

3 A. I would have to read it again.

4 Q. Okay. And we'll get to -- there's a
5 section called "Oath," 6.034.

6 Now, let me just ask you: Were there oath
7 forms before SB1 that had to -- had to be signed by
8 some sisters?

9 A. Not for transportation.

10 Q. Okay. And tell me about the -- this -- you
11 talked about a caravan.

12 A. Uh-huh.

13 Q. Are you familiar with -- give me an example
14 under -- where Delta Sigma Theta, as an
15 organization, did a -- performed a caravan to the
16 polls.

17 A. Dallas alumnae chapter is one where they
18 have done that for a few years, where they just
19 simply -- they have a meeting place where they
20 gather and caravan to the polls so that everyone can
21 vote.

22 Q. Okay. And so by "caravan," I'm hearing
23 there are multiple vehicles?

24 A. Multiple vehicles.

25 Q. So, like, if I -- if I were a member of

1 Delta Sigma Theta, I would take my car and put in --
2 and take --

3 A. Other individuals that possibly don't have
4 transportation.

5 Q. And that's happened in the past?

6 A. Yes.

7 Q. And when that's happened, who were the
8 individuals that group, the Dallas group I think you
9 said, is taking to the polls?

10 A. Members and other members of the community.

11 Q. Okay. And where is the typical meeting
12 place for the Dallas group?

13 A. I can't be quite sure.

14 Q. And --

15 A. I couldn't answer that.

16 Q. So you have -- must have to have in this
17 caravan, you must have multiple drivers taking those
18 folks to the polls, correct?

19 A. Yes.

20 Q. And so those -- the people involved in that
21 caravan are taking the number of people who will fit
22 in their car to the polls, correct?

23 A. Correct.

24 Q. And so are you saying that any of those
25 cars were -- carried over more than seven people?

1 A. It could, if they were driving an SUV.

2 Q. Okay. And would there be some concern with
3 that person basically signing an oath saying that
4 they didn't provide any unlawful assistance?

5 A. Well, the issue is because this is so new
6 and this is not something that's been done before,
7 if they make a minor mistake, then they are
8 subjected to criminal penalties, and that's what
9 we're concerned about.

10 Q. Okay. And what -- what kinds of mistakes
11 would you call minor that are the concern?

12 A. Perhaps go drop a group off, fill out
13 the -- the names and what -- and forget one of the
14 persons that they had transported or something like
15 that. We don't know. It's just burdensome to know
16 that this is something that our volunteers and our
17 members are going to have to be subjected to.

18 Q. Has -- has Delta Sigma Theta, have they --
19 have they expended funds as a result of this
20 provision?

21 A. Absolutely, in re-educating the members so
22 that they understand what the obligations are and
23 what the penalties are in terms of not following
24 this new provision. We want them to understand so
25 that they -- we can mitigate the possibility of any

1 criminal penalties against any of our members or
2 volunteers.

3 Q. Okay. Like the other provisions that we
4 have talked about, are you slotting those
5 educational programs into existing educational
6 programs?

7 A. No, these are new educational programs
8 because these are new provisions. This is a new
9 law.

10 Q. So they're within the same -- you said that
11 there were existing educational programs and that --

12 A. We're having to -- sorry.

13 Q. -- these would be brought -- and that these
14 would be brought up in the course of those on the
15 previous provisions. Are you -- are you now saying
16 that there are additional educational programs that
17 have to be created in terms of --

18 A. Absolutely. There are several chapters who
19 have created educational webinars specifically --
20 specifically geared towards SB1. In fact, I can
21 think of one, the Houston alumnae chapter is doing a
22 program called "Navigating SB1 In the Election
23 Process," or something like that.

24 So it's specifically to that, which is
25 educating our community, our members, and our